

January 23, 2017

**Via ECF**

The Honorable William H. Pauley III  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *In re: Topical Corticosteroid Antitrust Litigation*, 16-mc-7000  
*In re: Clobetasol Antitrust Litigation*, 16-mc-7229  
*In re: Desonide Antitrust Litigation*, 16-mc-7987  
*In re: Fluocinonide Antitrust Litigation*, 16-mc-8911  
*FWK Holdings, L.L.C. v. Fougera Pharmaceuticals, Inc., et al.*, 16-cv-9897  
*FWK Holdings, L.L.C. v. Fougera Pharmaceuticals, Inc., et al.*, 16-cv-9898  
*FWK Holdings, L.L.C. v. Fougera Pharmaceuticals, Inc., et al.*, 16-cv-9899  
*Cesar Castillo, Inc. v. Fougera Pharmaceuticals, Inc., et al.*, 16-cv-9956  
*Cesar Castillo, Inc. v. Fougera Pharmaceuticals, Inc., et al.*, 16-cv-10063  
*Cesar Castillo, Inc. v. Actavis Holdco U.S., Inc., et al.*, 17-cv-250

Dear Judge Pauley:

Counsel for the parties in the above-listed actions jointly write to address the coordination and consolidation issues raised by direct purchaser Plaintiff FWK Holdings, L.L.C., in its letter dated January 17, 2017.

The parties agree that the direct purchaser claims for Clobetasol, Desonide, and Fluocinonide should be consolidated and coordinated, and propose that they be subject to a similar structure to that which currently governs the end payor claims under Master Case Order No. 1. The parties submit that the direct purchaser claims should be consolidated separately from the end payor claims. Accordingly, the parties respectfully request that Your Honor revise and amend the Order to specify, under the same master docket, three separately consolidated single-drug actions, one for Clobetasol, Desonide, and Fluocinonide, each of which consists of separately consolidated complaints for the end payor plaintiffs and for the direct purchaser plaintiffs. The parties have drafted such a revised Order and submit it, together with a redline, for Your Honor's consideration.

Respectfully submitted,

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